Supreme Court, U.S.
FILED
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No.

IN THE

Supreme Court of the United States

October Term, 1995

George F. Strobridge, Petitioner

vs.

State of New York, et al, — Respondents

On Petition for Writ of Certiorari

To The United States Court of Appeals, 2nd. Circuit

PETITION FOR WRIT OF CERTIORARI

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21 pp

QUESTIONS PRESENTED

1. What is the legality of Slavery, Convictions and Crimes created by Secret behind the scenes Accusations of Mental Illness?

2. How does a person secure the Rights of Accused Person and or the Use and Protection of the Law, Police, Courts, Professional Help and Due Process of Law? When N.Y. Mental Hygiene Law prohibits All Persons and Courts from Exposing, Discussing or Cross Examining said Secret Accusations of Mental Illness with Accused Person or before a Court of Law.

3. Without the Use and Protection of our Laws, Police, Courts, Professional Help and Due Process of Law. What Civil and or Criminal Violations can the person Accused of Mental Illness, use to Force the Issues before the Courts, and who is Responsible.

LIST OF ALL PARTIES

George F. Strobridge,

ProSe, Petitioner

vs.

State of New York
New York State Supreme Court
(Rochester)
New York State Appellate Court, "Clerk"
(Rochester)
Carl M. Darnell
County of Monroe, N.Y.
Monroe County Pure Waters Agency, N.Y.
Martha W. Strobridge, (Buirch)
William J. Maloy, es. Lawyer, (Buirch)
Samuel Atlas, Esq. Lawyer
Louis Gorankoff, Esq. Lawyer
Ernest Ferullo, Esq. Lawyer
Lawrence Heller, Esq. Lawyer
Robert Wood, Esq. Lawyer
Roy Colicchio, Esq. Lawyer
Charles Pembrooke, Esq. Lawyer for Katherine Duffy
Doris Blake
Monroe County Bar Association
Arthur M. Schultz, Town Judge of Hamlin, N.Y.
AETNA Casuality and Surety Company - Bond# 45S4714BCA

Respondents

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69 years of POLITICAL PROPAGANDA, newspapers, magazines, radio, television and word of mouth. And 44 lawless Courts of Law.

Every Lawyer and Public Defender to date, has REFUSED TO RECOGNIZE, UPHOLD, PROTECT OR ENFORCE THE INALIENABLE RIGHTS AND TOOLS OF CITIZENSHIP, THAT HAVE BEEN ADVERTISED BY THIS NATION.... Without access to professional help, a Law Library or help of any form, violence remains my only recourse.

The United States Supreme Court is the Court of last resorts. But does the United States Supreme Court have the guts, integrity, competence and desire to recognize, uphold, protect and enforce the inalienable rights and tools of citizenship for petitioner George F. Strobridge and thousands of other victims of secret behind the scenes accusations of Mental Illness which enslave them for life?

STATEMENT OF JURISDICTION

This Court's jurisdiction to review the decision of the United States Court of Appeals, for the Second Circuit, is invoke pursuant to 28 U.S.C. 1254(1).

The Second Circuit filed its decision on November 21, 1995. (App. A)

Petitioners timely filed petition for rehearing was denied on January 26, 1996. (App. B)

Petitioners Motions, including a motion against the Clerk for selling Petitioner an illegible tape of the proceedings, and motions to obtain a true and correct copy of the presentations of the State of New York, County of Monroe, and William L. Dorr, or Harris, Beach and Wilcox, Rochester, New York, for Defendant — Appellee Charles Pembrooke, Esq. were denied on April 3, 1996.

THIS CASE

"The Watergate of New York" 7/63, Petitioner purchased a Farm in Hamlin, New York. Petitioner soon learned that the majority of people were somehow related. And his Farm was considered to be a Public Playground.

1967 - Petitioner having been denied local help for numerous Civil and Criminal Violations, petitioned President Lyndon Johnson for help. President Johnson asked the Dept. of Justice, Civil Rights Division to help petitioner. To date; FBI and Secret Service have been to petitioner's home to tell petitioner to "shut up or else", 15 times. The Post Office has repeatedly confiscated petitoners Mail. Twice the Postmaster General had to order the petitioners mail delivered.

2/72 - 8 acres of petitioner's farm condemned for 3400 feet of 70% federally funded Pure Waters Sewer, which was installed by 3 Costra Nostra Contractors per FBI published reports. No sewer damages compensation to 1996.

10/72 - Petitioner arrested and incarcerated for "Verbally" confronting a giant bulldozer that was stealing top soil from outside the Sewer Project.

3/73 - Arrested on same above charge and incarcerated in jail for 4 days to await Mental Exam. Released 3 days later. Was run off the highway by Town Police, turned over to Sheriff, transported to Hilton, placed on ambulance stretcher and sent by Emergency Ambulance for another Mental Exam. Released in 2½ hours. Rearrested the next night and sent back to the hospital. Subjected to Medical, Surgical, Drug, Radiation and other experiments for 12 days, leaving my skull numb for 6 months. No explanation, hearing or trial was given.

7/74 - Illegal divorce started, "No Plaintiff", Samuel Atlas, Esq. refused to allow any discussion of issues and when petitioner questioned the use of a law that had been declared unconstitutional, Atlas told petitioner "To hell with the Supreme Court and the Constitution,

the petitioner was going to obey the State Law that was declared unconstitutional. Petitioner's wife's lawyer, William J. Maloy, Jr. declared in his papers that petitioner was Mentally Ill and supposed to be under constant doctor care. Samuel Atlas obtained a Court Order to Quit. Maloy obtained a Court Order to force petitioner to hire Louis Gorankoff as Defense Lawyer. Gorankoff sat on his butt for the 3 day "kangaroo proceedings" and made no attempt to defend petitioner. Maloy presented numerous documents that had been stolen from petitioners home business files and continues to hold the stolen files to 1996. Ernest Ferullo, Esq. appointed as Receiver of the Strobridge Property and possessions by Maloy. Ferullo then becomes partner in Maloy Law Firm with same secretary and phone. Robert Wood, Esq. hired by petitioner because Wood had just won a $108,000.00 judgement against Ferullo for committing perjury on the stand. Ferullo got 6 months suspension and then committed perjury on the stand again, but Robert Wood refused to expose the perjury. In another of the endless illegal divorce proceedings, petitioner blurted out that Maloy and Ferullo attempted to force petitioner into committing a felony crime. Petitioner locked in state hospital for 6 weeks of medical, drug, radiation and other experiments and released with no explanation, hearing or trial to 1996. Secret Service and Postal Inspectors questioned petitioner in hospital. Petitioner then hired Lawrence Heller, Esq. while in hospital. Heller had petitioner released for 2 hours questioning at his office and then Heller filed and obtained a Massive Order against petitioner requiring petitioner to pay and obey endless demands of Maloy and Ferullo. Petitioners Farm was sold by Court for less than half of appraisal and petitioner and wife were stuck with mortgage at discounted rate and no points.

3/85 - Petitioner indicted on 5 federal felonies including one which claimed petitioner blew up a bank's night deposit. Petitioner held in Buffalo jail for 6 days for a 30 minute Mental Exam while the Rochester news media constantly exposed the accusations. Petitioner's medical doctor, records and friend obtained a bail reduction from $100,000 to $5,000 signature bond.

5/85 - Trial, petitioner on stand for 3 hours answering ques-

tions about the divorce. No exposure or cross-examination of the 5 felony charges. Jury declare petitioner Not Guilty of all charges. 10/72 thru 1992, petitioner arrested on misdemeanor charges for writing letters of complaint about criminal violations against petitioner and letters asking for help. Each arrest resulted in another Order of Incarceration for Mental Exam. None of the charges or mental exams were ever exposed or cross-examined in a Court of Law, and no lawyer, Public Defender or Judge would recognize, uphold, protect or enforce petitioners rights as an accused person.

In the State of New York and 4 other states with identical Mental Health Laws, the client, patient prisoner or victim of the mental health profession and all lawyers, doctors, persons, courts and governments are prohibited from obtaining any mental health information pertaining to a client, patient, prisoner or victim of the mental health profession without the written permission of the client, patient, prisoner or victim's mental health doctors as to prevent mental anguish to the client, patient, prisoner or victim. Which prevents the client, patient, prisoner or victim from knowing that it may have a mental illness. Which prevents the client, patient, prisoner or victim from seeking any mental health treatments and therefore holds the client, patient, prisoner or victim in a "Slave status, totally shut off from all rights and tools of citizenship." And protects the mental health profession from all responsibility and liability for there criminal and civil violations of our penal codes and other laws. And protects the mental health profession from all liability and responsibility for the civil and criminal losses, injuries, damages, costs, disbursements, pain and suffering imposed upon there clients, patients, prisoners and victims. No mental exam is allowed Miranda or constitution protection. Such as a defense lawyer, a defense doctor to interpret the examiners questions and a stenographer to record each and every question, response, instruction, conclusion, drug, radiation, medical, surgical and other procedures, experiments, threats, intimidation, torture, suicide, death, injury, civil, criminal or violent act committed against the client, patient, prisoner or victim of the mental health profession.

Slavery is not considered harmful to the client, patient, pris-

oner or victim of the mental health profession yet they are required to know and obey all laws and pay all costs and accept all civil and criminal acts committed against them. Or the governments, lawyers, doctors and others can help themselves to all assets, property and possessions of their client, patient, prisoner or victim of the mental health profession without explanation, hearing, trial or civilized recourse.

About 1993 - William J. Maloy, Jr. Esq. and Receiver Roy Colicchio, Esq. filed State Supreme Court Papers demanding approximately $40,000.00 additional funds after selling the petitioners farm for the second time, to Doris Blake, Maloy and Colicchio, Esqs. having already stolen the petitoners inalienable rights and tools of citizenship, plus his farm, livelihood, reputation and family. State Supreme Court refused to help, so petitioner filed civil rights action in the only remaining district court. Petitioner then appealed to U.S. Court of Appleals, 2nd. Circuit, petitioner then filed for rehearing. Petitioner then filed 15 motions including a motion against Court of Appeals "clerk" to send a legible tape of the proceedings, that petitioner had paid for.

To date 44 lawless courts, lawyers and American civil liberties across the state, public defenders, mental health doctors, medical society, court watch groups, town, Rochester, Monroe County, State of New York, and Federal Courts, Legislators, agents, agencies, officials of all levels of governments, Dept. of Justice, Solicitor General, attorney generals, 8 U.S. Presidents, Amnesty International, State, County and Buffalo Bar Assoc. local and national radio and TV and programs, 700 Club, Robert Schulars Ministries, Jim Baker Ministries, local churches and synagogues, trade and political groups and many others, including 25 major foreign nations. And no help is available ... except Militia Groups.

As petitioner has said many times, "Without access to the rights and tools of an accused person and the use and protection of our laws, police, courts, professional help, due process of law and the study of law. The only recourse available to the petitioner and thousands of other Political Slaves is their lifetime of knowledge, training and expe-

rience in all construction trades, electronics, explosives and weapons to obtain there mental health files and to force this massive conspiracy before the courts and people of the world.

REASONS FOR GRANTING THE WRIT

The United States Supreme Court cannot continue to uphold the organized crimes of the doctors, lawyers, judges, and the New York and other State Laws which are used to deprive thousands of persons of there inalienable rights and tools of an accused person and or the use and protection of our laws, police, courts, professional help, due process of law and the study of law, without explanation, hearing or trial. Because of one major question; Do the victims of these crimes, then proceed under Jewish doctrine and Jewish and U.S. Government approved Israel "logic" which requires the demolition of the homes of the families of persons accused of crimes against Jews. By demolishing churches, businesses, homes, etc., as punishment of persons for engaging in or supporting organized crime organizations.

Our system of justice was created for the purpose of providing each and every person with a civilized means of exposing and correcting legal problems by determining innocence and guilt.

Courts are not for the purpose of selecting who shall have rights and tools of citizenship by using so called mental exams, the results of which are government classified secrets. They are then secretly used to deny and deprive one or more parties of all rights and tools of citizenship or to "enslave whistleblowers who expose crime, corruption and hazards," as authorized by N.Y. Penal Code, "Justification Clause".

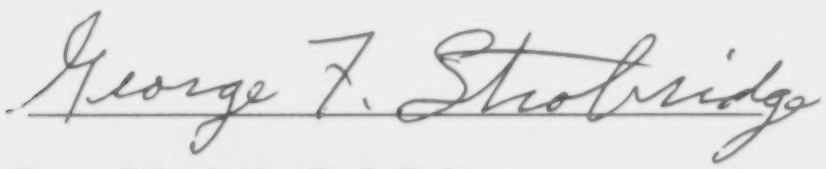
CONCLUSION

The Second Circuit, Court of Appeals, in this case, rendered decisions which are in direct conflict with there duties and Oaths of Office, which require them to recognize, uphold, protect and enforce the Constitution of the United States of America, on behalf of all persons.

For the District Courts and the Second Circuit, Court of Appeals to engage in activities which violate their oaths and duties of office by enslaving thousands of persons in New York and other states and subjecting said persons to endless slavery and other criminal and civil violations, should be enough to prosecute and impeach them for participating in a conspiracy to overthrow the Constitution of the United States of America.

For the Second Circuit Court of Appeals to willfully accept secret testimony from the State of New York, County of Monroe and others and to sell an illegible tape of the proceedings to the petitioner so as to conceal the secret evidence is an obstruction of justice.

Respectfully submitted under penalty of Perjury that the foregoing is true and correct.



George F. Strobridge, ProSe Petitioner
Executed on April 24, 1996.

APPENDIX A — SECOND CIRCUIT ORDER DENYING REHEARING, DATED JANUARY 26, 1996

UNI. ED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT

No. 95-7404

George F. Strobridge

Appellant

v.

State of New York

Appellee

A petition for rehearing having been filed herein by upon consideration therof, it is ordered that said petition be and it hereby is DENIED.

January 26, 1996

Order Entered at the Direction of the Court:

s/ Beth J. Meador, Administrative Attorney

APPENDIX B — DECISION OF UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT FILED NOVEMBER 21, 1995

UNITED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT

No. 95-7404

At a stated term of the United States Court of Appeals for the Second Circuit, held at the United States Courthouse, Foley Square, in the City of New York, on the 21st day of November, one thousand nine hundred and ninety-five.

PRESENT: HONORABLE J. DANIEL MAHONEY,

HONORABLE PIERRE N. LEVAL,

HONORABLE JOSE A. CABRANES,

Circuit Judges

George F. Strobridge,

Plaintiff-Appellant,

v. 95-7404

STATE OF NEW YORK, Government of New York, State of New York, NEW YORK STATE, Supreme Court, Rochester, NEW YORK STATE, Appellate Court, (Rocheter), CARL M. DARNALL, Clerk, New York State Appellate Court, Rochester, COUNTY OF MONROE, Government, Monroe County, New York, MONROE COUNTY PURE Waters Agency, Sewage Disposal, Monroe county, NY, WILLIAM J. MALOY, Esq.,

Lawyer, ERNEST FERULLO, Esq., Lawyer, LAWRENCE HELLER, Esq., Lawyer, ROY COLICCHIO, Esq., Lawyer, CHARLES PEMBROKE, TL Rd., Hamlin, New York, MONROE COUNTY BAR ASSOCIATION, AETNA CASUALTY & SURETY COMPANY, bond Holder of JRoy Colicchio, MARTHA W. STROBRIDGE, Buich),

Defendants-Appellees,

BOBERT WOOD, Esq., Lawyer and ARTHUR SCHULTZ, Town Judge of Hamlin, New York,

Defendants,

APPEARING FOR APPELLANT: George Strobridge, Henrietta, New York, pro se.

APPEARING FOR APPELLEES: Howard A. Stark, Deputy Monroe County Attorney, Rochester, New York, for County Defendants-Appellees.

Lew A. Millenbach, Assistant Attorney General for the State of New York, Albany, New York, for State Defendants-Appellees.

William L. Dorr, Harris Beach & Wilcox, Rochester, New York, for Defendant-Appellee Charles Pembroke.

Appeal from the United States District Court for the Western District of New York (Richard J. Arcara, Judge).

This cause came on to be heard on the transcript of record from the United States District Court for the Western District of New York, and was taken on submission.

ON CONSIDERATION WHEREOF, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the judgement of the District Court is hereby AFFIRMED.

Plaintiff-appellant George Strobridge appeals pro se from a judgement entered March 24, 1995 in the United States District Court for the Western District of New York that dismissed the complaint in his civil rights suit brought pursuant to 42 U.S.C. 1983. We affirm substantially for the reasons stated in the report and recommendation of Magistrate Judge Carol E. Heckman, Strobridge v. New York, No. 94-CV-490A(H), slip op. (W.D.N.Y. Feb. 13, 1995), as adopted by the decision and order of Judge Richard J. Arcara, Strobridge v. New York, No. 94-CV-490A, slip op. (W.D.N.Y. Mar. 23, 1995).

APPENDIX C — DECISION OF UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT FILED NOVEMBER 21, 1995

UNITED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT

No. 95-7404

George F. Strobridge,

Appellant,

State of New York,

Appellee.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the United States Courthouse, Foley Square, in the City of New York, on the third day of April, one thousand nine hundred and ninety-five.

Motions having been made herein by pro se appellant.

George F. Strobridge, for a stay of mandate, for a show cause order vs. The State of New York, for a show cause order vs. County of Monroe, for a show cause order vs.Monroe County D.A., for a show cause order vs.Clerk of this Court, for a show cause order vs.Monroe County Bar, for a show cause order vs.Listed Ewq., for a show cause order vs.Rochester City Court, for a show cause order vs.President Clinton, for a show cause order vs.District Courts, F.B.I., Secret Service, U.S. Attorneys of the Western District of New York, for a show cause order vs.Doris Blake, for a show cause order vs.Town Court of Hamlin, for a show cause order vs. Mental Health Clinic, for a show cause order vs.Strong Hospital, for a show cause order vs.Rochester Psychiatric State,

Upon Consideration by the panel that decided the appeal, it is ordered that said motions be and it hereby is DENIED.

s/ Beth J. Meador, Administrative Attorney

APPENDIX D - DECISION OF THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF NEW YORK, DATED FEBRUARY 14, 1995

George F. Strobridge,

Plaintiff,

v. DECISION AND ORDER 94-CV490A

State of New York,
New York State Supreme Court (Rochester), Et al.,

Defendants.

This case was referred to Magistrate Judge Carol E. Heckman on November 18, 1994, pursuant to 28 U.S.C 636(b)(1). On Febru-

ary 14, 1995, Magistrate Judge Heckman filed a Report and Recommendation recommending that defendants' motions to dismiss be granted and plaintiff's motion to change venue to Ohio be denied. On February 24, 1995, plaintiff filed objections to the Report and Recommendation. No responses to plaintiff's objectioins were filed by defendants.

Pursuant to 28 U.S.C. 636(b)(1)(C), this Court must make a de novo determination of those portioins of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and Recommendation and of the record, and after reviewing the submissions, the Court adopts the proposed findings of the Report and Recommendation.

For the reasons set forth in Magistrate Judge Heckman's Report and recommendation, plaintiff's motion to change venue is denied and the complaint is dismissed in its entirety.

IT IS SO ORDERED.

APPENDIX E - REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE, WDNY, DATED FEBRUARY 14, 1995

George F. Strobridge,

Plaintiff-Appellant,

v. 95-7404

STATE OF NEW YORK, Government of New York, State of New York, NEW YORK STATE, Supreme Court, Rochester, NEW YORK STATE, Appellate Court, (Rocheter), CARL M. DARNALL, Clerk, New York State Appellate Court, Rochester, COUNTY OF MONROE, Government, Monroe County, New York, MONROE COUNTY PURE Waters Agency, Sewage Disposal, Monroe county, NY, WILLIAM J. MALOY, Esq.,

Lawyer, ERNEST FERULLO, Esq., Lawyer, LAWRENCE HELLER, Esq., Lawyer, ROY COLICCHIO, Esq., Lawyer, CHARLES PEMBROKE, TL Rd., Hamlin, New York, MONROE COUNTY BAR ASSOCIATION, AETNA CASUALTY & SURETY COMPANY, bond Holder of JRoy Colicchio, MARTHA W. STROBRIDGE, Buich),

Defendants-Appellees,

BOBERT WOOD, Esq., Lawyer and ARTHUR SCHULTZ, Town Judge of Hamlin, New York,

Defendants,

This matter was referred to the undersigned by the Hon. Richard J. Arcara, to hear and report, in accordance with 28 U.S. C. 636(b). Presently before the court are several motions to dismiss by defendants as well as a motion by plaintiff for change of venue to Ohio. For the following reasons, it is recommended that defendants' motions to dismiss be granted, and the plaintiff's motion be denied.

BACKGROUND

George Strobridge filed his complaint, pro se, on April 14, 1994, alleging that defendants violated his civil rights under 42 U.S.C. 1983 ("1983). Plaintiff's complaint alleges that his divorce in New York State Supreme Court was illegally obtained. Plaintiff names nineteen defendants, most of whom were involved in the divorce proceedings in some capacity. These defendants include the State of New York, the New York State Supreme Court, the New York State Supreme Court, Appellate Division, Fourth Department, the Clerk of the Court for the Appellate Division, Fourth Department, plaintiff's former wife and various attorneys. Mr. Strobridge seeks a total of one trillion dollars in damages for the violation of his civil rights.

Not all defendants have answered the complaint. The answering defendants have moved to dismiss the claims against them pursuant to Federal Rule of Civil Procedure 12(b)(6)("rule"). Plaintiff has moved for a change in venue to Ohio. this court issued an Order, dated December 21, 1994 listing all the outstanding motions and giving plaintiff until January 23, 1994 listing all the outstanding motions and gibing plaintiff until January 23, 1995 to respond to defendant's motion. The order stated that the motion would be taken under advisement without oral argument on January 23, 1995. Plaintiff filed a response which was reviewed by this court.

DISCUSSION

In determining a motion to dismiss under Rule 12(b)(6), the court must presume all factual allegations of the complaint to be true and make all reasonable inferences in favor of the non-moving party. 2A Moore's Federal Practice 12.07(2.-5) (2d ed. 1994); Miree v. DeKalb County, Georgia, 433 U.S. 25, 27 n.2 (1977). The complaint should not be dismissed for failure to state a claim unless it appears "beyond doubt that the plaintiff can prove no set of facts in support of his claims which would entitle him to relief." Conley v. Gibson, 355 U.S. 41, 45-46 (1957) (quoted in Cortec Industries, Inc. v. sum Holding L.P., 949 F. 2d 42, 47 (2d Cir. 1991).

A pro se complaint must be read liberally and should not be dismisssed without granting leave to amend "when a liberal reading of the complaint gives any indication that a valid claim might be stated." Branum v. clark, 927 F.2d 698, 705 (2d Cir. 1991) (quoted in Winston v. Coughlin, 789 F.Supp 118, 119(W.D.N.Y. 1992).

In this case, it is claear that no reasonable view of the facts alleged in plaintiff's complaint will sustain a cause of action against these defendants under 1983. The various arguments and the defendants to which they apply will be discussed in turn.

1. Claims Against the State Defendants

It is well settled that the Eleventh Amendment bars an action brought by a citizen against his or her own state. Pennhurst State School & Hosp. v. Halderman 465 U.S. 89, 100 (1984)(citations omitted). Thus, it is clear that plaintiff's claims against the State of New York, the New York State Supreme Court, and the New York State Supreme Court, Appellate Devision, fourth Department are barred. Accordingly, the complaint against these defendants should be dismissed.

In addition, plaintiff has sued Carl Darnall, the Clerk of the New York State Supreme Court, Appellate Division, Fourth Department. Plaintiff's claim stems from the appellate court's denial of relief in his divorce proceeding. It is axiomatic that the judiciary is absolutely immune from suit for monetary damages under 1983 for actions taken within the scope of their official duties. Pierson v. Ray, 386 U.S. 547, 554 (1967). Such immunity from suit has also been afforded to court employees who perform discretionary and quasi judicial functions. See, e.g., Oliva v. Heller, 670 F.Supp 523, 526 (S.D.N.Y. 1987), aff'd, 839 F.2d 37 (2d. Cir. 1988); Womer v. Emo, 93-CV-494S(H)(W.D.N.Y. December 6, 1994)(Chief Clerk of New York State Supreme and County Court for Chautauqua County absolutely immune from suit). Accordingly, plaintiff's claim against defendant Darnall is dismissed.

2. Claims Against County Defendants and Judge Arthur M. Shultz

Plaintiff's claim against defendants Monroe County, the Monroe County Pure Waters Agency, and Arthur M. Schultz, former Town Justice of Hamlin, New York, arise out of an incident that occurred in 1972. The statute of limitations for 1983 action is three years. Pauk v. Board of Trustees of City University of New York, 654 F.2d 856, 861 (2d Cir. 1981), cert. denied 455 U.S. 1000 (1982). Accordingly, plaintiff's complaint as to these defendants is barred by the statute of limitations.

3. Claims Against Private Individuals and Organizations

The remaining defendants are private individuals or associations. It has not been alleged, nor can it be, that defendants Martha Strobridge (Buirch), William Maloy, Esq., Samuel Atlas, Esq., Loius Gorankoff, Esq., Ernest Ferrulo, Esq., Lawrence Heller, Esq., Robert Wood, Esq., Roy Colicchio, Esq., Charles Pembroke, Esq., Doris Blake, the Monroe County Bar Association, and the Aetna Casualty and Surety Company, acted under color of state law, as required by the statute. 42 U.S.C. 1983; Parratt v. Taylor, 451 U.S. 527, 535 (1980). These defendants are immune from suit under 198. Accordingly, the remainder of the complaint is dismissed.

In light of the foregoing determination, plaintiff's motion for a change in venue is moot.

CONCLUSION

For the foregoing reasons, it is recommended that defendants' motions be granted and the complaint dismissed in its entirety, and the plaintiff's motion for a change in venue is denied.

IT IS HEREBY ORDERED